

MINUTES

Attendance

Members Present: Bruce Carson, Jonathan O'Keeffe, Richard Roznoy
Other Planning Board Members present: Denise Barberet
Staff present: Christine Brestrup, Senior Planner; Jeff Bagg, Senior Planner
Others present: Walter Wolnik, Rob Crowner, Mary Streeter, Diana Stein, Mindi Sahner, Allan Powell, John Barbaro, Clare Bertrand, Paula Russell, Carol Gray, Tom Ehrgood

Discussion

The meeting began at 5:12 p.m. Mr. O'Keeffe introduced the agenda and stated that the Subcommittee would begin by reviewing proposed zoning amendments that had not been reviewed at previous meetings.

"Green Building/Permeable Surfaces Lot Coverage"

Ms. Brestrup noted that the Subcommittee had received two documents that were new. One was an explanation of the "Rational Method" for calculating stormwater runoff. The other was an explanation of what constitutes a "Green Roof." Ms. Brestrup briefly explained the Rational Method and its use of the Co-efficient of Runoff for calculating the amount of stormwater that is expected to run off a particular type of surface (grass, asphalt, permeable stone paving, etc). She also explained that there are two types of Green Roofs. One type creates landscaped spaces on a roof, in which people can walk and sit. The other type is a low, alpine-style landscape, primarily made up of plants that absorb water. It is not meant to be used as a space by people. In most cases, "Green Roofs" consist of the latter type, because this type is cheaper and easier to build.

Mr. O'Keeffe asked who would certify that the Co-efficient of Runoff was correct. Ms. Brestrup responded that this would be done by the engineer hired to design the green roof and that the calculations would be checked by the Town Engineer in the same way as grading and drainage plans are checked currently.

The Subcommittee discussed the proposed zoning amendment. Ms. Barberet asked if the proposal would allow building coverage to increase and expressed concern that buildings would then be bigger. Ms. Brestrup noted that the size of buildings would be limited by other dimensional requirements, such as setbacks, by parking requirements and by the requirement for a certain amount of the parking area to be landscaped. She also noted that the two section of this amendment were separable.

Mr. Carson asked if this would apply to houses as well as to commercial buildings.

Mr. Wolnik asked if the Mass. Building Code had been updated to accommodate the extra weight of green roofs.

Ms. Streeter asked for an example of a building that already has a green roof. She questioned whether green roofs would work in our cold climate with the amount of snow that we have here. Ms. Brestrup noted that green roofs are popular in Toronto, Canada, and in Chicago, Illinois, and that they have been successful there in colder conditions than we have here.

Ms. Streeter noted that she has a brick front walk, which is permeable, but that it can stay wet and be subject to frost heaves in winter. She asked if this zoning amendment would allow a building to be 50% larger. She also questioned whether these green roofs would be maintained and how to enforce maintenance.

Mr. O'Keeffe noted that applicants are required to submit Management Plans and that the Management Plan could contain a plan for maintaining the "Green Roof" system.

Ms. Barberet asked what would happen if the green roof didn't work out and the property owner decided not to have a green roof any longer, but had been allowed to build a larger building because of the green roof.

Ms. Brestrup stated that the Building Commissioner enforces what is in the permit. If the green roof isn't being maintained, the Building Commissioner can issue an enforcement order and fine the property owner. Also, if the applicant wished to abandon the green roof, he would be required to come back for a modification of his Site Plan Review approval or his Special Permit.

Ms. Streeter expressed support for green initiatives in general. But she questioned why this was being brought up at this time. Ms. Streeter, Ms. Russell and Ms. Barberet expressed concern that this change might allow the buildings being constructed along Larkspur Drive to be larger. Ms. Brestrup explained that the buildings that were being built by New England Environmental had already been permitted and would not be affected by this proposed change.

Mr. O'Keeffe noted that several people had brought green initiatives to the Planning Board over the years and that the Master Plan recommends this type of initiative.

Paula Russell of 54 Larkspur Drive stated that the area currently being developed on Larkspur Drive has a year-round flow of water. She expressed concern that the developer of other property in the PRP could build larger buildings as a result of this zoning amendment.

Mr. O'Keeffe noted that there would not be an impact in all cases, but only in cases where the dimensional regulations constrain the size of buildings. He also stated that he wasn't sure that a 50% increase in the size of a building as a result of having a green roof was the right number. He stated that good green technology should be encouraged, but that the targeted level of expansion might be lower.

Ms. Barberet agreed that the targeted expansion bonus should be less than 50%.

Mr. Carson asked what other communities do in this regard. Do they include commercial buildings and houses? What were the effects of this type of initiative in other towns?

Ms. Barberet would like to see this type of green initiative incorporated into a separate section of the Bylaw rather than scattered piecemeal throughout the Bylaw. She stated that it may make sense to treat houses and commercial buildings differently.

Mr. O'Keeffe stated that there is language in the Phased Growth section of the Bylaw that addresses this issue and that green roofs are a "good stand-alone" item for the Zoning Bylaw.

Ms. Barberet stated that it might work well to have different types of incentives (rather than density) for developers who propose green roofs.

Mr. O'Keeffe noted that density bonuses are one of the ways that zoning can grant incentives. Zoning does not involve the transfer of money. Other types of incentives, such as reductions in some types of development fees, are not connected with zoning.

Carol Gray of 815 South East Street objected to the inclusion of PURD's and OSCD's in the areas that could receive density bonuses as a result of the use of green roof technology. She noted that it was a contradiction of the goal of saving the environment if we allow greater density to result from the use of green technology.

Mr. O'Keeffe asked staff to research what other towns and cities are doing with regard to incentives for use of green roofs and green technology. He also suggested that the ZSC discuss the issue of whether to include PURD's and OSCD's at a future meeting.

The ZSC went on to discuss the "Technical Fixes" listed on the agenda.

Signs

Mr. O'Keeffe asked staff to research the general practice of other cities and towns with regard to how signs are measured. Do other municipalities count the open area below the sign as part of the area?

Ms. Barberet asked if anything in the zoning amendment would cause the line of sight to be blocked in any instance.

Ms. Brestrup noted that the Bylaw already contains a warning against installing landscaping, fencing, etc., within the "clear sight triangle" in order to prevent blocking of sight lines. [Section 6.27 of the Bylaw] This section is usually referred to by the Building Commissioner and permitting boards when reviewing sign locations.

Mr. Bagg noted that there is a multi-page sign Bylaw that follows the section of the Bylaw that is proposed to be changed. The Bylaw governs many different types of signs in various locations in town. There will continue to be significant restrictions on the size of signs, even if Section 8.0 General Standards is amended.

Mr. O'Keeffe noted that the current sign Bylaw tends to "push signs down" [make them shorter].

Ms. Barberet directed the ZSC's attention to signs that were recently installed at UMass which are oversized and obstruct the view. Ms. Brestrup stated that the UMass signs are not controlled by the town's Bylaw since they are generally within the ED zoning district.

The ZSC discussed the confusion regarding the wording of Section 8.00 Projecting Signs and the fact that the next section (Section 8.01) refers to signs that "project or extend". The ZSC members suggested clarifying the definition of "projecting signs".

Tom Ehrgood, a member of the Zoning Board of Appeals, noted that the ZBA has difficulty with some sign approvals. He noted that a large sign had recently been permitted for a nursery business on Belchertown Road. He questioned whether this amendment would eliminate review of some signs.

Clare Bertrand, property manager for Amherst Office Park, stated that businesses would appreciate amendments to the Bylaw that would increase regularity of language.

Ms. Barberet expressed concern about how the town can control the way signs look. She noted that by accepting this zoning amendment fewer signs would need to come before one of the Boards for approval.

Mr. O'Keeffe stated that the Planning Board looks at sign plans as part of Site Plan Review. Mr. O'Keeffe also noted that this amendment seems like more than a "technical fix" given the policy questions that have arisen during the discussion. Ms. Brestrup noted that there has been some discussion about expanding the Design Review Board's area of jurisdiction to Village Centers. This would help with the issue of review of the appearance of signs.

Dimensional Modifications (footnote a.)

Ms. Brestrup explained the proposed change. Ms. Barberet asked some clarifying questions. There were no other comments about this proposed amendment.

Medical Offices

Ms. Barberet expressed concerns about calling specialists "primary health care providers". Mr. O'Keeffe questioned the use of the word "primary" and recommended against the inclusion of the word "gatekeeper". Ms. Barberet stated that there are general practitioners, specialists and then people with lower levels of certification.

Alan Powell suggested asking health care professionals themselves how to define the various people involved in health care.

Mr. Ehrgood stated that Section 12.230 as amended provides a fine definition and that is no need for a second definition in Section 12.27. Mr. O'Keeffe agreed that there is no need to have the definition in two places. He stated that the definition of health care provider should stand on its own and not be buried in Section 12.230, the definition of Medical Office. He stated that all of the definitions embedded in Medical Office should be separated out and should stand on their own.

Mr. Carson suggested referring to the total number of employees rather than listing how many of each kind should be allowed.

Mr. Roznoy suggested including definitions for "accessory uses" such as x-ray, outpatient surgery, etc.

Ms. Bertrand stated that the definitions should be shorter, not longer.

Mr. Ehrgood stated that the proposed definitions don't resolve the issues that came to light during the recent ZBA case.

Ms. Streeter stated that the definitions should be clear. She had concerns about the accessory uses and wondered if they would include a pharmacist and/or a drug store. She also noted that the last sentence in the definition of Medical Offices, having to do with land areas of 200,000 square feet or more, was not clear.

The meeting was adjourned at 6:45 p.m.

Respectfully submitted by Christine Brestrup, Senior Planner

[Minutes approved 9/16/09]